

# Notice of Allowability

Application No.

09/177,935

Examiner

sang nguyen

Applicant(s)

KACYRA ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/01/04.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ The drawings filed on 23 October 1998 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 02/04/1999
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**Hoa Q. Pham**  
Primary Examiner

## DETAILED ACTION

### ***Response to Amendment***

The present Office action is made in response to the Amendment filed on 06/01/04. It is noted that the present application contains claims 1-9 by the Amendment filed on 7/17/04.

### ***Allowable Subject Matter***

Claims 1-9 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

As independent to claims 1 and 3, the prior art of record, taken alone or in combination, fails discloses or render obvious apparatus for obtaining positional information about surface points of a three dimensional object comprising all the specific elements with the specific combination including of the video module operated to generate a control signal corresponding to the image information and the processor being operable to receive the control signal from the video module for use in selectively targeting of the scanning module in combination with rest of the limitation of independent claims 1 and 3.

As independent claim 4, the prior art of record, taken alone or in combination, fails discloses or render obvious apparatus for obtaining positional information about surface points of a three dimensional object comprising all the specific elements with the specific combination including of the scanning module including a laser for emitting

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a laser beam of visible radiation and a detector for measuring reflected visible radiation,  
a video module for capturing image information from the object and generating a control  
signal in response thereto, and the processor receiving and using the control signal to  
target the scanning module such that laser beam can be manually positioned to target a  
portion of the object to be scanned in combination with the rest of the limitation of claim

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Sang Nguyen whose telephone number (571)-272-2425. The Examiner can normally be reached on Monday through Friday From 9:30 AM to 6:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Gregory J. Toatley, Jr., can be reached on (571) 272-2800 ext. 77. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Nguyen/sn



August 16, 2004

**Gregory J. Toatley, Jr.**  
**Supervisory Patent Examiner**  
**Art Unit 2877**  
**Technology Center 2800**